

Notice of Allowability

Application No.

10/762,856

Examiner

Duc C. Ho

Applicant(s)

RETANA ET AL.

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the application filed 1-21-04.
2. ☒ The allowed claim(s) is/are 1-8, 10-17, 19-24, 26-31. Renumbered as 1-28, respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>07-02-07</u> . |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>See Continuation Sheet</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

Continuation of Attachment(s) 3. Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date: 1-21-04;12-29-04;11-21-06.

EXAMINER 'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Thomas Frame on 07-02-07.

The application has been amended as follows:

In the claims:

Claims 9, 18, 25, and 32 are canceled.

Claim 1, line 6, change "being operable to receive" to --- receives ---.

Claim 1, line 9, change "is further operable to determine" to --- determines ---.

Claim 1, line 13, after "overlaps", insert --- , wherein the first network element determines whether its relaying of the update will result in a redundant transmission by gleaning data associated with a selected one of an acknowledgement and a re-flood both of which are associated with the update, the acknowledgement and the re-flood being communicated by one or more non-overlapping neighbors ---.

Claim 7, line 2, delete --- substantially ---.

Claim 10, line 2, change "is operable to determine" to --- determines ---.

Claim 11, line 11, after "overlaps", insert --- ;

determining whether its relaying of the update by the first network element will result in a redundant transmission by gleaning data associated with a selected one of an acknowledgement

and a re-flood both of which are associated with the update, the acknowledgement and the re-flood being communicated by one or more non-overlapping neighbors ---.

Claim 16, line 2, delete --- substantially ---.

Claim 19, line 10, after “overlaps”, insert --- ;

means for determining whether relaying of the update by the third network element will result in a redundant transmission by gleaning data associated with a selected one of an acknowledgement and a re-flood both of which are associated with the update, the acknowledgement and the re-flood being communicated by one or more non-overlapping neighbors ---.

Claim 26 (Currently Amended). A computer readable medium comprising computer software code such that when executed is operable to:

receive a first neighbor list from a first network element and a second neighbor list from a second network element; and

determine one or more overlaps provided by the first and second neighbor lists when compared to a third neighbor list, a third network element relaying an update that it receives from the first network element based on the one or more overlap;.

determine whether relaying of the update by the third network element will result in a redundant transmission by gleaning data associated with a selected one of an acknowledgement and a re-flood both of which are associated with the update, the acknowledgement and the re-flood being communicated by one or more non-overlapping neighbors.

Reason for Allowance

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2. Regarding claims 1-8, 10-17, 19-24, and 26-31, the prior art fails to teach or suggest an apparatus for communicating packets in a network environment, comprising a first network element that includes a first neighbor list, and being coupled to a second and a third network element, wherein the first network element determines whether its relaying of the update will result in a redundant transmission by gleaning data associated with a selected one of an acknowledgement and a re-flood both of which are associated with the update, the acknowledgement and the re-flood being communicated by one or more non-overlapping neighbors, in combination with other limitations, as specified in the independent claims 1, 11, 19, and 26.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Ho whose telephone number is (571) 272-3147. The examiner can normally be reached on Monday through Friday from 7:00 am to 3:30 pm.

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel, can be reached on (571) 272-2988.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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5. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patent Examiner

A handwritten signature in black ink, appearing to read 'Duc Ho', is written over the printed name.

Duc Ho

07-02-07